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April 8, 2024

**VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

RE: Huzhou Chuangtai Rongyuan Investment Management Partnership et al v. Qin;  
No. 1:24-cv-02219-KPF  
Request of Third-Party Duo “Emma” Liu to Seal Documents

Dear Judge Failla:

Pursuant to Section 9(c)(ii) of Your Honor’s Individual Rules of Practice in Civil Cases, we write to respectfully request that the Court permit the sealing of redacted copies of Ms. Liu’s Opposition to Petitioners’ Motion for Preliminary Injunction, Declaration of Stephen P. Younger, Esq. with exhibits attached thereto, Declaration of Emma Liu with exhibits attached thereto; and the Memorandum of Law in Opposition to Petitioners’ Motion for a Preliminary Injunction (filed contemporaneously herewith).

A party seeking to file a document under seal needs to address the presumption in favor of public access to judicial documents. *See, e.g., Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). And any redaction or sealing of a court filing must be narrowly tailored to serve whatever purpose justifies the redaction or sealing and must be otherwise consistent with the presumption in favor of public access to judicial documents. *Id.*

The Court must balance this common law presumption of access against competing interests, including “the privacy interests of those resisting disclosure.” *Lugosch*, 435 F.3d at 120 (quoting *United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995)). Thus, the issue is whether “the privacy interests of the [moving party] outweigh the presumption of public access.” *GoSMiLE, Inc. v. Dr. Jonathan Levine, D.M.D. P.C.*, 769 F. Supp. 2d 630, 649-50 (S.D.N.Y. Mar. 7, 2011).

Given the nature of this matter (a private matter ultimately related to Plaintiffs’ attempts to collect a judgment from Mr. Qin) and the fact that Ms. Liu is not the judgment-debtor, but merely a party whose private affairs are being dragged into this dispute, and given the ongoing criminal investigation about which the Court has been informed, we submit that there is a more than sufficient basis to seal the documents referenced herein. These documents contain

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confidential information that is deserving of protection and restricting public access, and therefore third-party Ms. Liu respectfully requests that the Court grant this request.

We note that for presumably similar reasons, various other docket entries in this case have been sealed.

Sincerely,



Stephen P. Younger  
Senior Counsel

cc: All parties of record via ECF

Application GRANTED. The Clerk of Court is directed to maintain docket entries 38, 39, and 40 under seal, viewable to the Court and the parties only.

The Clerk of Court is further directed to terminate the pending motion at docket entry 34.

Dated: April 9, 2024  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE